

AO 91 (REV.5/85) Criminal Complaint

AUSA Christopher K. Veatch (312) 886-3389

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

FILED

CRIMINAL COMPLAINT

MAGISTRATE JUDGE COX

v.

MAY 18 2013

CASE NUMBER:

RUSSELL K. GORDON

13 CR

425

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

UNDER SEAL

I, the undersigned complainant, being duly sworn on oath, state that the following is true and correct to the best of my knowledge and belief: Between no later than on or about February 2, 2013, and on or about May 12, 2013, at a location within the Northern District of Illinois, and elsewhere, RUSSELL K. GORDON, defendant herein:

transmitted in interstate or foreign commerce a communication containing a threat to injure the person of another;

in violation of in violation of Title 18, United States Code, Section 875(c). I further state that I am a Supervisory Special Agent with the Federal Bureau of Investigation, and that this complaint is based on the facts contained in the Affidavit which is attached hereto and incorporated herein.

Signature of Complainant

JONATHAN M. BLAIR

Supervisory Special Agent, Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,

May 18, 2013

2 PM

Date

at

, Illinois

City and State

SUSAN E. COX, U.S. Magistrate Judge

Name & Title of Judicial Officer

Signature of Judicial Officer

UNITED STATES DISTRICT COURT)
) ss
NORTHERN DISTRICT OF ILLINOIS)

AFFIDAVIT

I, JONATHAN M. BLAIR, being duly sworn, state as follows:

1. I am a Supervisory Special Agent with the Federal Bureau of Investigation. I have been employed as a Special Agent with the FBI since approximately August 2002. My current responsibilities include the investigation of violations of the federal criminal laws, including those involving the transmission of threatening communications.

2. This affidavit is submitted in support of a criminal complaint alleging that Russell K. Gordon has violated Title 18, United States Code, Section 875(c). Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging Gordon with transmitting in interstate or foreign commerce a communication containing a threat to injure the person of another, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that the defendant committed the offense alleged in the complaint.

3. This affidavit is based on my personal knowledge, and information provided to me by other law enforcement agents and others with knowledge of relevant information.

FACTS SUPPORTING PROBABLE CAUSE

4. According to records from the United States Department of State, Gordon is a United States citizen. According to records maintained by the Serbian Ministry of Interior, between in or about January 1996 and in or around November 2012, Gordon resided in Serbia.

5. According to employees of the United States Embassy in Belgrade, Serbia, and the Serbian Ministry of Interior, while living in Serbia, Gordon married Individual A, a Serbian national who had a child (Individual B) whose father was a Serbian national. In or about September 2012, Serbian courts gave custody of Individual B to Individual B's biological father.

6. On or about September 16, 2012, Gordon, using email account: photo@russellgordon.net, sent an email to the United States Consulate in Belgrade, Serbia, as well as to the former Consular Chief of that Embassy. The email stated in part:

Just to let you know, your replacement and the Embassy failed our family, and they took away [Individual B] today. I will give my psy-ops and dirty tricks plus PR time to have an affect and ameliorate the situation to re-unite mother and son. If it does not, all previous bets are off, and I will resolve the dispute by attrition.

As I warned you before, if this is not resolved to our favor, I will play God with Serbian families, and as a silver-medalist (2005) in 200-yard open-sights rifle, there isn't a damned thing the US authorities or the Serbs can do to prevent it. Here or there doesn't matter; Chicago is a target-rich-environment, with one out of every 32 people

of Serbian ethnicity. Churches, schools, social clubs, diplomats, etc. If the US can't protect their Embassy personnel,¹ I highly doubt they can protect such soft targets.

They may have their spite, but I can and will exact my vengeance. Thank the Serbs for making me a psychopath.

7. On or about September 18, 2012, the U.S. Diplomatic Security Service sent a request to the Serbian Ministry of Interior for information about Gordon. According to the Serbian Ministry of Interior, Gordon was first granted temporary stay by the Directorate for Foreigners, Belgrade City Police, on or about January 18, 1996, which allowed him to temporarily reside in Serbia. Thereafter, Gordon received several additional temporary stays. Regarding Gordon's criminal history, among several arrests, the Serbian Ministry of Interior reported that on or about May 12, 2012, Gordon had been arrested in Serbia for attacking an individual with a knife, causing "light injuries." As a result, Gordon was sentenced to seven months' imprisonment.

8. According to records maintained by the Department of Homeland Security, on or about November 22, 2012, Gordon traveled from Frankfurt, Germany, to Chicago, Illinois, via New York. After Gordon's arrival in Chicago, he was interviewed by FBI agents. In response to questions about the email described above in paragraph 6, Gordon told FBI agents that he wrote the email in a fit of rage and had no intention of carrying out the threat.

¹ On or about September 11, 2012, the American diplomatic mission at Benghazi, Libya, was attacked by a heavily armed group, leading to the death of four Americans, including U.S. Ambassador J. Christopher Stevens.

9. On or about February 2, 2013, Individual C, a U.S. Embassy Consular assistant in Belgrade, Serbia, on her embassy-issued cellular telephone,² received the following text message:

Hi [Individual C]! Guess who...? Why, your favorite terrorist! Loved the welcoming committee when I returned to USA. FBI shared my contempt for State. Chicago's a great place: Serbs everywhere! Hard to miss'em. Planning to have [Individual A] and [Individual B] visit in Fall. Hope State isn't stupid enough to deny visas: I can wreck homes too. kiss kiss.

The message was sent from a two-digit number. Based on my training and experience and the experience of others with whom I have spoken, I believe this message was likely sent through an Internet text-messaging service.

10. On or about March 20, 2013, Individual C received two text messages from a UK-based phone number. They stated:

Text Message 1: Hi [Individual C], Greetings from the land of the free. So nice to be back in country with concealed carry. Just bought nice little place on lake. [Individual B] and I can go fishing all we want. Junkie will OD soon, then [Individual C] will be Gordon. [Individual C], do I need to re-state what the consequences would be if [Individual A] were prevented from seeing her primary caregiver and husband? I've little more to live for then wife and son, and if my hand is forced, when I go I will slam the door. [Individual A] coming in for visa. I hope she is not rejected as I will take that the same as lethal force, and will avenge all the Serbs and State Dept did.

Text Message 2: State was able to get away with Benghazi because CIA whispered in Congressional ears about State-funded CIA weapons buy back program Amb. Stevens was running, transshipping to Islamist fighters through Turkey. I am leaving

² The assistant had provided this telephone number to Gordon because she was assisting him with an embassy matter related to his family.

a trail to USEMBBGD³ door, and keeping FBI and intel colleagues in loop. If my hand is forced, no one will be able to sweep the mess under the rug. Be smart. Serbs made me very cruel and dirty.

11. On or about April 15, 2013, FBI Chicago received an email at a publicly available email account assigned to FBI Chicago,⁴ from a person using the email account: photo@russellgordon.net. I believe this email was sent by Gordon because: (1) the email was signed in the name "Russell Gordon;" (2) the address included below the signature line, as is explained below, is an address Gordon uses and is associated with him in publicly available records; and (3) the content of the email is consistent with his prior threatening writings. This email requested a meeting with FBI agents and expressed Gordon's desire that his family be permitted to come to the United States. Gordon wrote, in part:

Without [his family], I have nothing more to live for. I write the FBI because like the Marines, I assume you to be people of then [sic] highest integrity, and more so, if the Embassy had a right to misuse you against me, than I have a moral right to call on you to request your assistance that this all ends justly -- and peacefully. If I do not get the former, I assure you, the latter will not be so. I have endured the unendurable. This is my final offer.

I am available at my new home at your agents' convenience, and the only time I ever leave is for the extensive medical treatment I need to be able to live. This will increase as I approach surgery.

I await your call.

³ Based on the context of this email message, I believe this is an acronym for the U.S. Embassy in Belgrade.

⁴ Based on my training and experience, and information provided to me by others with knowledge, an email sent to the referenced FBI email account would have traveled through FBI computer servers located outside of the State of Illinois before being accessible to and readable by FBI Chicago.

Respectfully yours,

Russell Gordon
T. [Telephone number]
[Street address]
McHenry, IL 60051

12. On or about April 24, 2013, a Diplomatic Security Service Special Agent and an FBI agent interviewed Gordon at his residence in McHenry, Illinois.⁵ During the interview, Gordon admitted to sending the text messages referred to above in paragraphs 9 and 10 to Consular Assistant Individual C, using VoIP.⁶ Gordon said he sent the messages with the intent to "intimidate" her. He also admitted that he had previously plotted to kill the biological father of his wife's son and members of his family. He claimed that he called the Embassy and spoke to a Marine Security Guard about his plan. He said that he backed off from this plan when he made an agreement with Consular Chief not to kill them in exchange for the Embassy's support at his criminal trials. Gordon admitted that he is currently in possession of a firearm.⁷ He expressed that he did not know what he was capable of doing if he is unable to get his family back together. At the end of the interview, Gordon was

⁵ According to the U.S. Postal Service carrier who services Gordon's residence, the carrier started delivering mail to an individual named Russell Gordon at the residence within the last couple of months. According to the carrier, currently the only person to whom mail is being addressed at that address is Russell Gordon.

⁶ VoIP (Voice over IP) is a technology that enables a person to send voice or other communications over Internet Protocol (IP) networks, such as the Internet.

⁷ According to law enforcement databases, Gordon obtained a valid Illinois Firearm Owner Identification Card as of January 2013.

informed that he should not make any threats to employees of the Consulate or any other individuals and that such threats were serious offenses that could potentially lead to criminal prosecution.

13. On or about May 12, 2013, FBI Chicago received an email at FBI Chicago's publicly available email account from a person using the email account: photo@russellgordon.net. I believe this email was sent by Gordon because it was addressed to the Diplomatic Security Service Special Agent and FBI agent who conducted the April 24, 2013 interview of Gordon. In this email, Gordon wrote, in part:

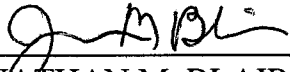
[Individual A] will be applying for a visa . . . I hope no sociopathic State Department officials would be cynical enough to keep our family apart, but rather "let bygones be bygones" (actually, it is myself who has something to forgive, but has not yet). Just in case someone "right from the top" doesn't play civilized, I am providing [Individual A] with a list of the names and US addresses of the family members of His Excellency Ambassador [Name of US Ambassador to Serbia] relatives: two daughters, wife, mother, brother, son-in-law, etc ad nauseum. She will keep such material in reserve (of course, this is not a threat, keeping my word. It is just miscellaneous data in text format). One hopes cooler voices have convinced them to behave by now.

14. According to a U.S. State Department Diplomatic Service Security Officer stationed at the U.S. Embassy in Belgrade, Serbia, on or about May 17, 2013, Individual A went to the U.S. Embassy in Belgrade to request a B1/B2 visa for entry into the United States. The Security Officer participated in an interview of Individual A conducted by the Chief of the Consulate. During the interview, Individual A stated that Gordon has developed detailed plans to shoot Serbian citizens in the Chicago area including diplomats, at places where he believes Serbians routinely congregate. According to Individual A, Gordon's

intends his plan to be an act of suicide because he hopes that law enforcement will eventually kill him.

15. On or about May 18, 2013, the Chief of the Consulate at the U.S. Embassy in Belgrade received a telephone call from Individual A. During this call, Individual A advised that Gordon, who learned that Individual A would only be issued a two-week B1/B2 visa, was enraged and told Individual A that he was going to kill the U.S. Ambassador, his wife, their two daughters, and another State Department employee.

FURTHER AFFIANT SAYETH NOT.



JONATHAN M. BLAIR
Supervisory Special Agent
Federal Bureau of Investigation

SUBSCRIBED AND SWORN to before me on May 18, 2013.



SUSAN E. COX
United States Magistrate Judge